



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

430399



524287

CONCURRENCE COPY

Ref: 8ENF-T

June 17, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Johnson

(b) (6)

Salt Lake City, UT 84121

Re: Request for Information Pursuant to
Section 104(e) of CERCLA for the R.J.
Refining site, LaBarge, WY

Dear Mr. Johnson:

The United States Environmental Protection Agency, Region VIII (EPA) is preparing to conduct a Removal Action at the R.J. Refining site, located near LaBarge, Wyoming (hereinafter "the Site"). Such action as is necessary will be conducted pursuant to EPA's authority under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9601 et seq. (CERCLA).

This letter constitutes a request for information pursuant to Section 104(e) of CERCLA, as amended, 42 U.S.C. § 9604(e). EPA is seeking information relating to your activities at the Site and any information you can provide regarding historical operations of this facility.

Pursuant to the authority of Section 104 of CERCLA, you are hereby requested to respond to the enclosed Information Request.

Your response to this request should be mailed no later than ten days after your receipt of this request, to:

Maureen O'Reilly, Enforcement Specialist
U.S. Environmental Protection Agency
999 18th Street, Suite 500/8ENF-T
Denver, Colorado 80202-2405

Your response to this request must be accompanied by a notarized certificate that you have signed and dated. The notarized certificate must state that the response submitted to EPA is complete and contains all information responsive to this request that is known to you following a complete and thorough review of all information and sources available to you. A suggested format for the notarized certificate is included with this request.

WTS
8ENF-L
6/17/98

FILE PLAN

2.15.13



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Thank you for your cooperation in this matter. Should you have any questions regarding this information request, please contact Maureen O'Reilly at (303) 312-6402.

Sincerely,



Michael T. Risner, Director
Legal Enforcement Program

Sharon D. Kercher, Director
Technical Enforcement Program
Superfund Enforcement

Enclosures

cc w/enc.: M. O'Reilly, ENF-T
W.Silver, ENF-L



Printed on Recycled Paper

bcc: V. Jacobson, First Page Only



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**R.J. Refining
INFORMATION REQUEST**

Instructions

1. Please provide a separate narrative response to each Question in this Information Request (Request).

2. Precede each answer with the number of the Question to which it corresponds.

3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.

4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.

5. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or proprietary information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information submitted to EPA pursuant to this Request, provided such claim is allowed by section 104(e)(7) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. § 9604(e). A confidential business information claim may be asserted in the manner described by 40 CFR § 2.203(b). Information covered by a claim of confidentiality will be disclosed by EPA only to the extent and by means of the procedures set forth at 40 CFR. Part 2, 41 Fed. Reg. 36,902 (1976) (amended at 43 Fed. Reg. 40,000 (1978), 50 Fed. Reg. 51,661 (1985)). If no confidentiality claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

6. All questions asked in the past tense should be interpreted to apply to the present as well.



Definitions

The following definitions shall apply to the following words as they appear in this Information Request:

1. The term "you" shall mean the addressee of this Request.

2. The term "person" shall have the same definition as in section 101(21) of CERCLA: an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.

3. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

4. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

5. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), and the substance or the subject matter.

6. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording or any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document

and (e) every document referred to in any other document.

7. The terms "and" and "or" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

8. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate, in the context of a particular question or questions.

9. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. § 9601 et seq., RCRA, 42 U.S.C. § 6901 et seq., or their regulations found at 40 CFR Part 300 or 40 CFR Part 260 et seq., respectively, in which case the statutory or regulatory definitions shall apply.



QUESTIONS

1. Identify the person or persons answering these Questions.
2. For each Question contained herein, identify all persons consulted in the preparation of the answer.
3. For each Question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the Question and provide accurate copies of all such documents.
4. Are you an owner of real property at or near the R.J. Refinery site? If so, provide the legal description of the property owned by you and the date on which you became the owner of the property. Indicate whether you purchased the property or obtained it through inheritance.
5. Did you run, or help others run, a business or conduct operations at or near the R.J. Refinery site? If so, were any such businesses incorporated, or general or limited partnerships (provide documentation of any incorporated or partnership entities). Indicate what your position and title was in each business entity you were involved in.
6. If your response to question 5 is yes, indicate as precisely as possible, using a map or drawing of your own making, where the business or operations were run or conducted.
7. If your response to question 5 is yes, during what time period(s) did you run, help others run, or function as an employee of a business or other operations at the Site?
8. If your response to question 5 is yes, describe in detail what the nature of the business or operations were that you ran, or helped others run, at the Site. Include detailed information about the kinds of materials you utilized, the volumes of materials utilized, operating processes and procedures, products produced, inventory volumes and storage procedures utilized, and what your disposal practices were for wastes generated at the Site.
9. If your response to question 5 is yes, did your business or operations at the Site require state or federal permits of any kind in order to operate? If so, describe these permits in detail or provide copies of any such permits.
10. Did you bring drums of materials onto the Site? If so describe what was in these drums, the volume of the drums, and how you disposed of empty or partially empty drums after use. If



you are aware of others who brought drums on to the Site, provide their names, last known addresses, and telephone numbers if possible.

11. Did you utilize the laboratory facility located on or near this Site? If so, describe during what time frame you utilized this facility, for what purposes, and what laboratory procedures or practices you used to assure proper handling and storage of chemicals, reagents, and other materials contained in the laboratory. If you are aware of others who used the laboratory at the Site, provide their names, last known addresses, and telephone numbers if possible.

12. Provide any information you have access to regarding any wastes that could be buried at the Site. Include in your response the type of wastes, location of burial site, and the approximate volumes of the buried wastes.

13. Provide any information you may have access to regarding spills of liquids at the site and how they were cleaned up. Include in your response the types of liquids that were spilled, locations of spills, and the approximate volumes of the spilled liquids.

14. Describe the "lease arrangement" you had with Robert Laidlaw for use of real property and the refinery facility located at the Site. Include information about the time period the "lease" was for, the amount of "rent" that was charged and how the "lease" was terminated.

15. It is the Agency's understanding that Reland Johnson and Wilma Johnson, both deceased, were the real property owners of the R.J. Refinery site. On what dates did each of them pass away, and what provisions did they make for their heirs regarding their assets and personal effects?

16. Describe what involvement Robert Laidlaw had in the day to day operations of R.J. Refinery at any time during which that business was in operation.

17. Describe what involvement Robert Laidlaw had in day to day operations of any other businesses that you are familiar with that were located at the site.

18. Describe in detail every business or operation at the R.J. Refinery site not already described in response to question 5. For each such business or operation, provide the time period, the nature of the business or operation, and the location. Also, identify every individual you are aware of that was involved in each business or operation and describe what he or she did and what title he or she used.

19. Provide any information you may have regarding the



Silver Eagle facility and its operations, include in your response information on who owned the facility, who its employees were, what products were produced there, and generally how operations were conducted by this business.

20. Provide copies of your personal and business income tax returns for the last three years (this information will be kept confidential).

21. Provide the name, address and telephone number of anyone known to you who may have information regarding the questions outlined above.



NOTARIZED CERTIFICATE

I, Mark Johnson, having been duly sworn and being of legal age, hereby state:

1. I am the person responding to the Environmental Protection Agency's (EPA's) Request for Information concerning the R.J. Refining site.
2. I have made a complete and thorough review of all documents, information, and sources relevant to the Request.
3. I hereby certify that the enclosed response to EPA's Request is complete and contains all information and documents responsive to the Request.

(Signature)

(Print Name)

Subscribed and sworn to me this _____ day of _____, 1998.

[SEAL]

Notary Public

My Commission Expires _____

My address is:





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

Ref: 8ENF-T

June 17, 1998

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Printed on Recycled Paper

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Sincerely,

Michael T. Risner

Michael T. Risner, Director
Legal Enforcement Program

Sharon D. Kercher

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Technical Enforcement Program
Superfund Enforcement

Enclosures

cc w/enc.: M. O'Reilly, ENF-T
W.Silver, ENF-L



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bcc: V. Jacobson, First Page Only



**R.J. Refining
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21. Provide the name, address and telephone number of anyone known to you who may have information regarding the questions outlined above.



NOTARIZED CERTIFICATE

I, Mark Johnson, having been duly sworn and being of legal age, hereby state:

1. I am the person responding to the Environmental Protection Agency's (EPA's) Request for Information concerning the R.J. Refining site.
2. I have made a complete and thorough review of all documents, information, and sources relevant to the Request.
3. I hereby certify that the enclosed response to EPA's Request is complete and contains all information and documents responsive to the Request.

(Signature)

(Print Name)

Subscribed and sworn to me this _____ day of _____, 1998.

[SEAL]

Notary Public

My Commission Expires _____

My address is:



Is your RETURN addressed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mark Johnson

(b) (6)

Salt Lake City, UT 84121

4a. Article Number

P 164 018 908

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

R.S. Refining
Site file
with 104(e) please